

# **Fire Safety Code Board**

## **Of Appeal and Review**

**Hearing Minutes November 29, 2011**

**The Rhode Island Fire Safety Code Board of Appeal & Review met at their headquarters located at 1 Regan Court, Varley Building #46, in Cranston, RI on Tuesday, November 29, 2011 at 1:00 P.M. Present were Chairman Newbrook, Vice Chairperson Filippi and Commissioners Dias, Walker, Jasparro, Jackson, Sylvester, Burlingame, Blackburn and Richard. Commissioner Pearson was absent. Also present were Executive Director Thomas Coffey and Deputy Director Carol Marsella.**

**APPEAL #110225: Mr. Jeffrey Marwell, for the property located at 1845 Smith Street in North Providence. ADSFM Gregory Unsworth appeared for the North Providence Fire Marshal's Office. Commissioner Sylvester made a motion, seconded by Commissioner Jackson, to grant the Applicant a time variance of thirty (30) days in which to submit a plan of action to the North Providence Fire Marshal's Office for the correction of all outstanding deficiencies in this facility and an additional 150 days in which to implement that plan. The North Providence Fire Marshal's Office is authorized to extend the above timelines for good faith efforts being shown by the Applicant. The motion was unanimous.**

**APPEAL #110226: Mr. Frank Breggia, for the property located at 30 Baird Avenue, North Providence. Commissioner Burlingame made a motion, seconded by Commissioner Blackburn, to approve the Applicant's plan of action for the correction of the outstanding deficiencies in this facility, noting that the fire extinguishers in this facility must be installed within seven (7) days and the exit signage must be installed within sixty (60) days. The motion was unanimous.**

**APPEAL #110223: Mr. Stephen Jarzombek, for the property located at 499 High Street in Peacedale. ADSFM Robert Emmott appeared for the Union Fire District Fire Marshal's Office. Commissioner Richard made a motion, seconded by Commissioner Dias, to grant the Applicant a variance to allow him to maintain one exit from the second floor, and to grant the Applicant a time variance of thirty (30) days from the hearing date in which to correct any outstanding deficiencies listed on the Marshal's 9-26-11 inspection report. The motion was unanimous.**

**APPEAL #100001B: Pastor Paul Chapman, for the property located at 591 Curtis Corner Road in South Kingstown. ADSFM Chris Hiener appeared for the Union Fire District Fire Marshal's Office. Commissioner Blackburn made a motion, seconded by Commissioner Walker, to grant the Applicant a time variance of 180 days in which to upgrade the fire alarm system in this facility, and directs the Applicant to provide a calendar of activities at the church to the Union Fire District Fire Marshal's Office. The motion was**

**unanimous.**

**APPEAL #080175: Family Resources Community Action, for the property located at 31 Orchard Street in Woonsocket. ADSFM Michael Morin appeared for the Woonsocket Fire Marshal's Office and DSFM Robert Couture appeared for the State Fire Marshal's Office. Since the occupancy of this facility has changed to business, the State Fire Marshal's Office is directed to re-inspect this facility under its currently occupancy and this case is moved to January 24, 2012.**

**APPEAL #090029: Ms. Helen Messier, for the property located at 19-21-23 Parades Avenue, Woonsocket. Assistant Deputy State Fire Marshals Michael Morin and David LeGrange appeared for the Woonsocket Fire Marshal's Office. Commissioner Blackburn made a motion, seconded by Commissioner Sylvester, to grant the Applicant a variance to allow her to maintain the current egress of this facility and not require her to install a sprinkler system in this facility, provided the outside egress stairs are kept clear. The Applicant is granted a time variance of thirty (30) days in which to present a plan of action to the Woonsocket Fire Marshal's Office and an additional 150 days to implement that plan. The Woonsocket Fire Marshal's Office is granted the authority to extend the above timelines for good faith efforts being shown by the Applicant. The motion was unanimous.**

**APPEAL #090258: North Smithfield Public Library, for the property**

located at 20 Main Street in Slatersville. ADSFM Brian Gartland appeared for the North Smithfield Fire Marshal's Office. Commissioner Blackburn made a motion, seconded by Commissioner Jasparro, to grant the Applicant's requested variances due to structural hardship, and directs the Applicant to re-swing the cited gate. The motion was unanimous.

**APPEAL #090164:** Mr. Michael Doucet, for the property located at 502 Victory Highway, North Smithfield. ADSFM Brian Gartland appeared for the North Smithfield Fire Marshal's Office. Commissioner Blackburn made a motion, seconded by Commissioner Walker, to direct the Applicant to present a plan of action for the correction of the cited windows in apartments 19 and 20, and further grants the Applicant an additional 150 days in which to implement that plan of action. The plan may be to install code compliant windows, provide domestically supplied sprinkler heads in those units, or return the cited apartments to one-bedroom units. The correction is to be made at the direction and to the satisfaction of the North Smithfield Fire Marshal, and he is granted the authority to extend the above timelines for good faith efforts being demonstrated by the Applicant.

**APPEAL: 110105A:** Mr. George Blacksmith, for the property located at 175 Eddie Dowling Highway in North Smithfield. ADSFM Brian Gartland appeared for the North Smithfield Fire Marshal's Office and DSFM Paul Manning appeared for the State Fire Marshal's Office. The Applicant is directed to return to the Board on January 31, 2012 with a

**performance based design in lieu of the sprinkler requirement for this facility, provided it conforms to the specific provisions outlined for that design, at the direction and to the satisfaction of the State Fire Marshal's Office.**

**APPEAL #050062: Stanley's Boatyard Inc., for the property located at 17 Barton Avenue in Barrington. Chief Gerald Bessette appeared for the Barrington Fire Department and DSFM Paul Manning appeared for the State Fire Marshal's Office. Commissioner Jasparro made a motion, seconded by Commissioner Dias, to grant the Applicant a time variance of thirty (30) days to present a plan of action to the State Fire Marshal's Office for the correction of all outstanding deficiencies in Building 1 (with the exception of items 4 and 15 of the inspection report) and an additional 150 days in which to implement that plan of action. The State Fire Marshal's Office is authorized to extend the above timelines for good faith efforts being shown by the Applicant. The Applicant is directed to work with the State Fire Marshal's Office for the correction of items 4 and 15 of the April 1, 2011 inspection report by implementing a proposed plan of action agreeable to the parties. The motion was unanimous.**

**APPEAL #090007: Stanley's Boatyard Inc., for the property located at 17 Barton Avenue in Barrington (Boat Storage Building). Commissioner Sylvester made a motion, seconded by Commissioner Walker, to approve the Applicant's proposal to correct deficiency 11-833-VN with an alternative means of compliance as presented to**

**the State Fire Marshal's Office along with any additional safeguards deemed necessary by that Office. The Applicant is directed to correct any remaining deficiencies in this building at the direction and to the satisfaction of the State Fire Marshal's Office. The motion was unanimous.**

**Respectfully submitted**

**Carol Marsella**